

FILED

APR 03 2023

**Belinda Munson
MUNCIE CITY CLERK**

AMENDED RESOLUTION 6-23

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE
ESTABLISHING AN ETHICS ADVISORY COMMITTEE**

WHEREAS, throughout the history of the City of Muncie, the public has consistently expressed concern about certain actions taken by elected officials, appointees and employees of the City of Muncie regarding the manner in which public business is transacted and the individuals/entities through which public business is transacted; and

WHEREAS, the Common Council of the City of Muncie is committed to ensuring that public business is carried out impartially, is not used for private gain, and does not involve conflicts of interest; and

WHEREAS, the Common Council of the City of Muncie believes that it is necessary to establish ethical standards for the official conduct of the elected officials, appointees and employees of the City of Muncie and persons that have a business relationship with the City of Muncie; and

WHEREAS, establishing ethical standards will promote transparency and public confidence in the business of the City of Muncie and the manner in which it is conducted; and

WHEREAS, other cities and counties throughout the State of Indiana have created ethics commissions and/or specific ethical standards; and

WHEREAS, the Common Council of the City of Muncie desires to create an ethics advisory committee that will be responsible for establishing ethical standards for the City of Muncie and defining the mechanisms to ensure that the ethical standards are followed; and

WHEREAS, once the advisory committee completes the tasks identified below, the Common Council of the City of Muncie would review the work of the committee and establish an Ethics Code by Ordinance;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF MUNCIE AS FOLLOWS:**

Section 1 – Establishment of Committee: The Common Council of the City of Muncie hereby establishes an Ethics Advisory Committee consisting of nine (9) bipartisan individuals to be appointed by the Common Council of the City of Muncie. The Ethics Advisory Commission shall consist of no more than five (5) members from a single political party. The Ethics Advisory Committee shall consist of the following:

- Two (2) professionals in human resources.
- A certified public accountant;
- Two (2) attorneys licensed to practice in the State of Indiana;
- A representative of the Ball State University Bowen Center for Public Affairs;
- An Ethics Professor from Ball State University Department of Philosophy; and
- Two (2) individual citizens of the City of Muncie.

Section 2 – Additional Members: The Ethics Advisory Committee shall have the authority to add additional members of the committee as it deems necessary to be appointed by the City Council to complete the duties set forth herein.

Section 3 – Duration of Committee: The Ethics Advisory Committee shall remain in existence until such time that it completes its duties set forth in this Resolution, which shall occur no later than 18 months from the date this resolution is adopted unless extended by resolution of the Common Council of the City of Muncie.

Section 4 – Duty to Define Ethics Commission: The Ethics Advisory Committee shall be responsible for defining a City of Muncie Ethics Commission to be established by ordinance of the Common Council of the City of Muncie. Specifically, the Ethics Advisory Committee shall define the composition, terms, method of appointment, power and authority, and jurisdiction of the City of Muncie Ethics Commission.

Section 5 – Duty to Establish Ethics Code: The Ethics Advisory Committee shall be responsible for establishing the City of Muncie Code of Ethics to govern the official public conduct and actions of elected officials, appointees to boards and commissions, employees, and individuals and entities that have a business relationship with the City of Muncie. The City of Muncie Code of Ethics shall set forth specific standards governing the following:

- Whistleblower protection.
- Gifts, food, drink, entertainment, and travel expenses.
- Political activity and patronage.
- Appointee attendance requirements.
- Employment and post-employment restrictions.
- Nepotism.
- Disclosure requirements for entities that do business with the City of Muncie.
- Publication of public contracts for goods and services.
- Additional or excess compensation.
- Conflicts of interest.
- Disclosure and use of confidential information.
- Use of City property.
- Training requirements.

Section 6 – Duty to Establish Enforcement Procedure: The Ethics Advisory Committee shall be responsible for establishing a complaint, investigation and enforcement procedure to ensure compliance with the City of Muncie Code of Ethics.

Section 7 – Findings and Recommendations to Common Council: Once the Ethics Advisory Committee has completed the duties set forth herein, it shall provide its findings and recommendations to the Common Council of the City of Muncie, which shall adopt an Ethics Code based upon those findings and recommendations to be included in the City of Muncie Code of Ordinances.

Section 8: This Resolution shall be in full force and effect from after its passage by the Common Council and its approval by the Mayor of the City of Muncie, Indiana.

Passed by the Common Council of the City of Muncie, Indiana, this 3 day of April, 2023.

	Yeas	Nays	Abstained	Absent
Jeff Green	<u>✓</u>	_____	_____	_____
Jeff Robinson	<u>✓</u>	_____	_____	_____
Brandon Garrett	<u>✓</u>	_____	_____	_____
Isaac Miller	_____	<u>✓</u>	_____	_____
Jerry D. Dishman	<u>✓</u>	_____	_____	_____
Roger Overbey	<u>✓</u>	_____	_____	_____
Aaron Clark	<u>✓</u>	_____	_____	_____
Troy A. Ingram	<u>✓</u>	_____	_____	_____
Roza Selvey	<u>✓</u>	_____	_____	_____

[Signature]
President, Common Council

ATTEST:

[Signature]
Belinda Munson, City Clerk

Presented by me to the Mayor for his approval this 3 day of April, 2023.

[Signature]
Belinda Munson, City Clerk

The above Resolution is approved by me this 6th day of April, 2023.

[Signature]
Dan Ridenour, Mayor

This Resolution is proposed by Council Member

[Signature]
Jeff Robinson

This Resolution is approved in form by Legal Counsel

[Signature]